



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 29.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**
AND

THE HONOURABLE MRS.JUSTICE **S.ANANTHI**

W.P. (MD) Nos.1402 & 1403 of 2021

and

W.M.P. (MD) Nos.1193, 1194, 1196 & 1197 of 2021

T.Suseela : Petitioner in W.P. (MD) No.1402/21
T.Mariappan : Petitioner in W.P. (MD) No.1403/21

Vs.

1. The District Collector,
Trichy District,
Trichy.
2. The Revenue Divisional Officer,
Srirangam, Trichy District.
3. The Tahsildar,
Thiruvanaikovil,
Srirangam Taluk,
Trichy District.
4. The Deputy Tahsildar,
Srirangam,
Trichy.

: Respondents in both Wps

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned notices in 3/1397/2020, dated 08.01.2021, issued by the 3rd respondent under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 with regard to residential house hurt in 0.01.0 BMC in BMC Nos.65 & 64, respectively, Ward No.B, Block-45, T.S.No.2070 of Thimarayasamuthuram Village, Srirangam Taluk, Trichy District and quash the same and directing the respondents to consider the petitioner's representation dated 12.01.2021.

For Petitioners : Mr.G.Balumahendran
For Respondents : Mr.K.Mu.Muthu,
Additional Government Pleader
[in both WPs]



COMMON ORDER

(Order of the Court was made by **M.M.SUNDRESH, J.**)

In view of the commonality of the issues involved, both the writ petitions are heard together and are disposed of by way of this common order.

2. The petitioners have come forward challenging the impugned notice issued under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, by which, eviction orders are passed, having found that the petitioners are in occupation of Government land, unauthorizedly.

3. Inasmuch as the orders impugned are appealable in nature, we are not inclined to entertain these writ petitions. The petitioners are at liberty to file an appeal before the first respondent, if they are so advised and they are given two weeks time from the date of receipt of a copy of this order to file an appeal before the first respondent. If any such appeals are filed, the first respondent shall dispose of the same, on merits and in accordance with law, within a further period of four weeks thereafter. Till such time, *status-quo*, as on date, shall be maintained.

4. With the above observations and directions, the writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1. The District Collector,
Trichy District,
Trichy.
2. The Revenue Divisional Officer,
Srirangam,
Trichy District.
3. The Tahsildar,
Thiruvanaikovil,
Srirangam Taluk,
Trichy District.

<https://hcservices.ecourts.gov.in/hcservices/>



4. The Deputy Tahsildar,
Srirangam,
Trichy.

+1 CC to The Special Government Pleader (SR-2583[F] dated
01/02/2021)

**W.P. (MD) Nos.1402 & 1403 of 2021
and**

**W.M.P. (MD) Nos.1193, 1194, 1196 & 1197 of 2021
29.01.2021**

gk

MS/ (05/02/2021) 3P / 6C